

REMARKS/ARGUMENTS

Claims 1-8 and 11-13 are pending. By this Amendment, claims 9 and 10 are cancelled, and claims 1, 4, 6 and 7 are amended. Support for the amendments to claims 1, 4, 6 and 7 can be found, for example, in the present specification at page 7, lines 4 to 20, and in original claims 1, 4, 6 and 7. No new matter is added. In view of the foregoing amendments and following remarks, reconsideration and allowance are respectfully requested.

Rejection Under 35 U.S.C. §112, Second Paragraph

The Office Action rejects claim 4 as indefinite under 35 U.S.C. §112, second paragraph. By this Amendment, claim 4 is amended to obviate the rejection. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

Rejections Under 35 U.S.C. §103

A. Pfleger and Jacoby

The Office Action rejects claims 1-5 and 12 under 35 U.S.C. §103(a) over U.S. Patent No. 5,706,864 to Pfleger ("Pfleger") in view of U.S. Patent No. 5,310,584 to Jacoby et al. ("Jacoby"). Applicants respectfully traverse the rejection.

Claim 1 recites "[a] coolant line comprising: an outer layer comprising a polyamide molding composition; and an inner layer consisting of a polypropylene molding composition; wherein: the polypropylene molding composition comprises at least 50% by weight of polypropylene and at least 0.02% by weight of a heat stabilizer; and the polypropylene is a propene-ethene block copolymer including 0.5 to 20 % by weight of ethene in copolymerized form" (emphasis added). Pfleger and Jacoby does not disclose or suggest such a coolant line.

As indicated above, claim 1 requires that the polypropylene of the polypropylene molding composition forming the inner layer is a propene-ethene block copolymer including

0.5 to 20 % by weight of ethene in copolymerized form. While Pfleger discloses a tube including a polyamide outer layer and a polypropylene inner layer (*see Pfleger*, column 1, line 66 to column 2, line 6 and column 2, lines 35 to 40), there is no disclosure in Pfleger that the polypropylene of the disclosed inner layer could or should be a propene-ethene block copolymer including 0.5 to 20 % by weight of ethene in copolymerized form. Jacoby discloses of using a stabilizer package including a hindered phenol to prepare a polypropylene sheet. *See Jacoby*, column 13, lines 40 to 43. However, again, the polypropylene of the polypropylene sheet disclosed in Jacoby is not a propene-ethene block copolymer including 0.5 to 20 % by weight of ethene in copolymerized form.

As neither Pfleger nor Jacoby discloses or suggests employing a propene-ethene block copolymer including 0.5 to 20 % by weight of ethene in copolymerized form, the combination of references fails to disclose or suggest each and every feature of claim 1.

As explained, claim 1 would not have been rendered obvious by Pfleger and Jacoby. Claim 2-5 and 12 depend from claim 1 and, thus, also would not have been rendered obvious by Pfleger and Jacoby. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

B. Pfleger, Jacoby and Dupuy

The Office Action rejects claim 6 under 35 U.S.C. §103(a) over Pfleger in view of Jacoby and U.S. Patent No. 7,238,738 to Dupuy et al. ("Dupuy"). Applicants respectfully traverse the rejection.

For the reasons discussed above, Pfleger and Jacoby fail to disclose or suggest each and every feature of claim 1. Dupuy does not remedy the deficiencies of Pfleger and Jacoby. Dupuy is cited for its alleged disclosure of a thermoplastic material including a nanosize filler. *See* Office Action, page 6. However, Dupuy, like Pfleger and Jacoby, fails to disclose

or suggest employing a propene-ethene block copolymer including 0.5 to 20 % by weight of ethene in copolymerized form. Accordingly, the combination of references fails to disclose or suggest each and every feature of claim 1.

As explained, claim 1 would not have been rendered obvious by Pfleger, Jacoby and Dupuy. Claim 6 depends from claim 1 and, thus, also would not have been rendered obvious by Pfleger, Jacoby and Dupuy. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

C. Pfleger, Jacoby and Ebner

The Office Action rejects claim 7 under 35 U.S.C. §103(a) over Pfleger in view of Jacoby and U.S. Patent No. 6,433,087 to Ebner et al. ("Ebner"). Applicants respectfully traverse the rejection.

For the reasons discussed above, Pfleger and Jacoby fail to disclose or suggest each and every feature of claim 1. Ebner does not remedy the deficiencies of Pfleger and Jacoby. Ebner is cited for its alleged disclosure of a polypropylene molding composition including a heat stabilizer and a metal deactivator. *See* Office Action, page 6. However, Ebner, like Pfleger and Jacoby, fails to disclose or suggest employing a propene-ethene block copolymer including 0.5 to 20 % by weight of ethene in copolymerized form. Accordingly, the combination of references fails to disclose or suggest each and every feature of claim 1.

As explained, claim 1 would not have been rendered obvious by Pfleger, Jacoby and Ebner. Claim 7 depends from claim 1 and, thus, also would not have been rendered obvious by Pfleger, Jacoby and Ebner. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

D. Pfleger, Jacoby and Strelbel

The Office Action rejects claim 8 under 35 U.S.C. §103(a) over Pfleger in view of Jacoby and U.S. Patent No. 7,375,162 to Streb et al. ("Streb"). Applicants respectfully traverse the rejection.

For the reasons discussed above, Pfleger and Jacoby fail to disclose or suggest each and every feature of claim 1. Streb does not remedy the deficiencies of Pfleger and Jacoby. Streb is cited for its alleged disclosure of a propylene-ethylene copolymer having a melt flow rate of 2 g/min. *See* Office Action, page 7. However, Streb, like Pfleger and Jacoby, fails to disclose or suggest employing a propene-ethene block copolymer including 0.5 to 20 % by weight of ethene in copolymerized form. Accordingly, the combination of references fails to disclose or suggest each and every feature of claim 1.

As explained, claim 1 would not have been rendered obvious by Pfleger, Jacoby and Streb. Claim 8 depends from claim 1 and, thus, also would not have been rendered obvious by Pfleger, Jacoby and Streb. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

E. Pfleger, Jacoby and Johoji

The Office Action rejects claims 9-11 under 35 U.S.C. §103(a) over Pfleger in view of Jacoby and U.S. Patent No. 6,562,907 to Johoji et al. ("Johoji"). Applicants respectfully traverse the rejection.

For the reasons discussed above, Pfleger and Jacoby fail to disclose or suggest each and every feature of claim 1. Johoji does not remedy the deficiencies of Pfleger and Jacoby. Johoji is cited for its alleged disclosure of a propylene-ethylene copolymer including 7 to 85 % by weight of ethylene. *See* Office Action, page 8. Claim 1 requires an inner layer consisting of a polypropylene molding composition. The propylene-ethylene copolymer of claim 1 is disclosed as a thermoplastic resin that is an additive to a particular olefin polymer.

See, e.g., Johoji, column 13, lines 29 to 39. The resulting thermoplastic resin composition is not a polypropylene molding composition as required by claim 1. Moreover, Pfleger indicates that the disclosed tube should include an "internal layer inert to the conveyed medium." *See Pfleger*, column 1, lines 54 to 55. While Johoji indicates generally that the disclosed thermoplastic composition could be used in vehicle parts, such as hoses (*see Johoji*, column 26, lines 47 to 50), there is no indication that the material would be inert to coolant as required of the internal layer of the hose of Pfleger. As is well-settled, a *prima facie* case of obviousness based on a proposed modification to a reference (e.g., replacing the internal layer of the hose of Pfleger with the thermoplastic resin of Johoji) will only stand if one of ordinary skill would have had a reasonable expectation of success upon making the modification. *See, e.g.*, MPEP §2143.02 (citing *In re Merck & Co., Inc.*, 800 F.2d 1091 (Fed. Cir. 1986)). One of ordinary skill in the art would have had no reason to expect that the thermoplastic resin of Johoji would be inert to coolant, as required of the internal layer of the hose of Pfleger.

As explained, claim 1 would not have been rendered obvious by Pfleger, Jacoby and Johoji. Claims 9-11 depend from claim 1 and, thus, also would not have been rendered obvious by Pfleger, Jacoby and Johoji. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

F. Pfleger, Jacoby and Iwata

The Office Action rejects claim 13 under 35 U.S.C. §103(a) over Pfleger in view of Jacoby and U.S. Patent No. 7,232,297 to Iwata et al. ("Iwata"). Applicants respectfully traverse the rejection.

For the reasons discussed above, Pfleger and Jacoby fail to disclose or suggest each and every feature of claim 1. Iwata does not remedy the deficiencies of Pfleger and Jacoby. Iwata is cited for its alleged disclosure of a corrugated tube having a smooth inner later. *See*

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Office Action, page 10. However, Iwata, like Pfleger and Jacoby, fails to disclose or suggest employing a propene-ethene block copolymer including 0.5 to 20 % by weight of ethene in copolymerized form. Accordingly, the combination of references fails to disclose or suggest each and every feature of claim 1.

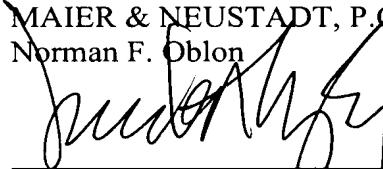
As explained, claim 1 would not have been rendered obvious by Pfleger, Jacoby and Iwata. Claim 13 depends from claim 1 and, thus, also would not have been rendered obvious by Pfleger, Jacoby and Iwata. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

Conclusion

For the foregoing reasons, Applicants submit that claims 1-8 and 11-13 are in condition for allowance. Prompt reconsideration and allowance are respectfully requested.

Respectfully submitted,

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